



PAT MCCRORY  
*Governor*

DONALD R. VAN DER VAART  
*Secretary*

SHEILA C. HOLMAN  
*Director*

TBD

Mr. Alan Skrzypczak  
Facility Manager  
Stericycle, Inc.  
Post Office Box 310  
Haw River, North Carolina 27258

SUBJECT: Air Quality Permit No. 05896T25  
Facility ID: 0100010  
Stericycle, Inc.  
Haw River, Alamance County  
Fee Class: Title V  
PSD Class: Minor

Dear Mr. Skrzypczak:

In accordance with your completed Air Quality Permit Application for renewal of a Title V Air Quality Permit, received April 2, 2015, we are forwarding herewith Air Quality Permit No. 05896T25 to Stericycle, Inc. 1168 Porter Avenue, Haw River, North Carolina authorizing the construction and operation of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been listed for informational purposes as "ATTACHMENT 2" to this cover letter. Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

Pursuant to NCGS 150B-23 and 15A N.C.A.C. 02Q .0308 a person aggrieved by the issuance of this Air Quality Permit has the right to request a formal adjudicatory hearing within 30 days following receipt of this permit, identifying the specific issues to be contested. Any such right of appeal is subject to the terms of the settlement agreement executed by you and the Division of Air Quality on November 6, 2015. This hearing request must be in the form of a written petition, conforming to NCGS (North Carolina General Statutes) 150B-23, and filed with both the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 and the Division of Air Quality, Permitting Section, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Please note that this permit will be stayed in its entirety upon receipt of the request for a hearing. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.

You may request modification of your Air Quality Permit through informal means pursuant to NCGS 150B-22. This request must be submitted in writing to the Director and must identify the specific provisions

or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of NCGS 143-215.108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of NCGS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

The PSD minor baseline dates has been triggered for Alamance County for PM<sub>10</sub> and SO<sub>2</sub> emissions, however this renewal application is not expected to consume or expand any increments for any tracked pollutants.

This Air Quality Permit shall be effective from TBD until TBD, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein. Should you have any questions concerning this matter, please contact Russell Braswell at 919-707-8731 or [russell.braswell@ncdenr.gov](mailto:russell.braswell@ncdenr.gov).

Sincerely,

William D. Willets, P.E., Chief, Permitting Section  
Division of Air Quality, NCDEQ

Enclosure

c: Winston-Salem Regional Office  
Heather Ceron, EPA Region 4 (with review)  
Connie Horne (cover letter only)  
Central Files

**Insignificant Activities under 15A NCAC 02Q .0503(8)**

<b>Emission Source ID No.</b>	<b>Emission Source Description</b>
I-CT-1 and I-CT-2	Two cooling towers (55,200 gallons per hour water recirculation rate each)
I-AMM	Facility-wide storage of 19% aqueous ammonia

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement.
2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 02D .1100 "Control of Toxic Air Pollutants" or 02Q .0711 "Emission Rates Requiring a Permit".

**Table of changes made to Permit 05896T24**

Page(s)*	Section*	Description of Change(s)
Throughout	Throughout	<ul style="list-style-type: none"> <li>Updated permit dates/numbers</li> <li>Fixed formatting issues</li> </ul>
	Insignificant Activities List	<ul style="list-style-type: none"> <li>Added source for ammonia storage.</li> </ul>
	2.1.A.	<ul style="list-style-type: none"> <li>The permit conditions applicable to the incinerators have all been rewritten to correct errors in the previous permit and to reflect updates in the regulations. Given the extent of the rewrite, there is no simple direct comparison of the old and new conditions.</li> <li>Combined all incinerator requirements under Section 2.1.A.</li> </ul>
	2.1.A.1. (15A NCAC 02D .1100)	<ul style="list-style-type: none"> <li>Removed references to lead and VE because they are not part of 02D .1100.</li> <li>Removed reference to 02D .0408 because that rule does not apply to this facility.</li> <li>Changed TAP testing to only include mercury and cadmium because the facility has demonstrated a wide margin of compliance with the other TAPs.</li> <li>Changed TAP testing to require both incinerators be tested every three years (previously was one incinerator every two years).</li> </ul>
	2.1.A.2. (15A NCAC 02D .1206)	<ul style="list-style-type: none"> <li>Added a paragraph allowing the Permittee to operate a "combustion control only" mode when not incinerating waste, in accordance with the Permittee's approved petition to the EPA.</li> <li>Added requirement that the Permittee attach the memo approving any new operating parameters in the event of future performance testing.</li> <li>Moved lead emission testing into this permit condition. Lead is regulated by this rule, not 02D .1100 as the previous permit indicated.</li> <li>Added triennial lead, mercury, and cadmium testing based on the facility's proposed testing schedule.</li> <li>Removed the requirement to keep incinerator exhaust in the secondary combustion chamber for at least one second. This requirement no longer appears in the rule.</li> </ul>
	2.1.B.3.	<ul style="list-style-type: none"> <li>Updated permit condition for NSPS Subpart IIII to reflect updates in the regulation</li> </ul>
	2.3.	<ul style="list-style-type: none"> <li>Added section 2.3. "Permit shield for nonapplicable requirements"</li> <li>Added statement regarding the applicability of NSPS Subparts Ec and Ce.</li> </ul>

\* This refers to the current permit unless otherwise stated.



State of North Carolina  
Department of Environmental Quality  
Division of Air Quality

## AIR QUALITY PERMIT

Permit No.	Replaces Permit No.	Effective Date	Expiration Date
05896T25	05896T24	TBD	TBD

Until such time as this permit expires or is modified or revoked, the below named Permittee is authorized to operate as outlined in Part I and to construct as outlined in Part II, the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 02D and 02Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 02Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

**Permittee:** **Stericycle, Inc.**  
Facility ID: 0100010  
Facility Site Location: 1168 Porter Avenue  
City, County, State, Zip: Haw River, Alamance County, North Carolina 27258  
  
Mailing Address: Post Office Box 310  
City, State, Zip: Haw River, North Carolina 27258  
  
Application Number: 0100010.15A  
Complete Application Date: April 2, 2015  
  
Primary SIC Code: 4953  
Division of Air Quality, Winston-Salem Regional Office  
Regional Office Address: 450 West Hanes Mill Road, Suite 300  
Winston-Salem, North Carolina 27105

Permit issued this the TBD.

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William D. Willets, P.E., Chief, Permitting Section  
By Authority of the Environmental Management Commission

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ATTACHMENT

List of Acronyms

DRAFT

## SECTION 1- PERMITTED EMISSION SOURCE (S) AND ASSOCIATED AIR POLLUTION CONTROL DEVICE (S) AND APPURTENANCES

The following table contains a summary of all permitted emission sources and associated air pollution control devices and appurtenances:

Pages	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
	ES01	dual chamber hospital, medical and infectious waste incinerator (HMIWI) firing natural gas (4.6 million Btu per hour primary chamber burner and 6.0 million Btu per hour secondary chamber burner)	CD07	one selective non-catalytic reduction (SNCR) system with ammonia or urea injection (19700 ACFM, outlet airflow rate)
			CD01	one packed bed scrubber and associated quench column
			CD03	venturi scrubber equipped with a mist eliminator
			CD05	one sulfur impregnated carbon bed (6,000 ACFM, inlet airflow rate)
	ES02	dual chamber hospital, medical and infectious waste incinerator (HMIWI) firing natural gas (4.6 million Btu per hour primary chamber burner and 6.0 million Btu per hour secondary chamber burner)	CD08	one selective non-catalytic reduction (SNCR) system with ammonia or urea injection (19700 ACFM, outlet airflow rate)
			CD02	one packed bed scrubber and associated quench column
			CD04	venturi scrubber equipped with a mist eliminator
			CD06	one sulfur impregnated carbon bed (6,000 ACFM, inlet airflow rate)
	EG1 (MACT, ZZZZ; NSPS, IIII)	diesel-fired emergency generator (500 kilowatts maximum capacity <sup>1</sup> )	N/A	N/A

<sup>1</sup> The generator is rated for 500 kilowatts, but the engine driving it is rated for 568 kilowatts.

## SECTION 2- SPECIFIC LIMITATIONS AND CONDITIONS

### 2.1- Emission Source(s) and Control Devices(s) Specific Limitations and Conditions

The emission source(s) and associated air pollution control device(s) and appurtenances listed below are subject to the following specific terms, conditions, and limitations, including the testing, monitoring, recordkeeping, and reporting requirements as specified herein:

- A. Two natural gas-fired dual-chamber hospital, medical, and infectious waste incinerators [HMIWI] (ID Nos. ES01 and ES02), each controlled with one selective non-catalytic reduction (SNCR) system (ID Nos. CD07 and CD08), in series with one packed bed scrubber (ID Nos. CD01 and CD02), in series with one venturi scrubber (ID Nos. CD03 and CD04), in series with one sulfur impregnated carbon bed (ID Nos. CD05 and CD06).**

The following table provides a summary of limits and standards for the emission source(s) described above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
toxic air pollutants	<b>State-enforceable only</b> – See Section 2.1.A.1.	15A NCAC 02D .1100
PM, SO <sub>2</sub> , NO <sub>x</sub> , CO, metal HAPs	<b>State-enforceable only</b> – See Section 2.1.A.2.	15A NCAC 02D .1206
various	<b>Federal-enforceable only</b> – Federal requirements for HMIWI not subject to NSPS Ce or Ec	40 CFR Part 62, Subpart HHH
odorous emissions	<b>State-enforceable only</b> – See Section 2.2.A.1.	15A NCAC 02D .1806

#### State-Enforceable Only

#### 1. 15A NCAC 02D .1100: CONTROL OF TOXIC AIR POLLUTANTS

- a. Pursuant to 15A NCAC 02D .1100 and in accordance with the approved application for an air toxic compliance demonstration, the following permit limits shall not be exceeded:

EMISSION SOURCES	TOXIC AIR POLLUTANTS	EMISSION LIMITS
Incinerators (ID Nos. ES01 and ES02, combined)	Chromium VI	0.964 pounds per year
	Arsenic	2.673 pounds per year
	Cadmium	63.91 pounds per year
	Hydrogen Chloride	2.2 pounds per hour
	Hexachlorodibenzo-P-dioxin	0.8831 pounds per year
	Tetrachlorodibenzo-P-dioxin	0.0349 pounds per year
	Mercury	3.82 pounds per day
	Chlorine	24.00 pounds per day; 1.00 pounds per hour



EMISSION SOURCES	TOXIC AIR POLLUTANTS	EMISSION LIMITS
	Beryllium	47.64 pounds per year
	Nickel	12.00 pounds per day
	Manganese	8.22 pounds per hour
	Hydrogen Fluoride	24.00 pounds per day; 1.00 pounds per hour

**Operating Standards** [15A NCAC 02D .1106]

- b. To ensure compliance with the above limits, the following restrictions apply:
  - i. The charge rate into ID No. ES01 shall not exceed 1,870.0 pounds per hour;
  - ii. The charge rate into ID No. ES02 shall not exceed 1,870.0 pounds per hour; and
  - iii. Each incinerator's stack height shall be a minimum of 82.4 feet above ground level.
  - iv. The maximum carbon bed inlet temperature shall not exceed the limits set in Paragraph 2.1.A.2.n., below.
- c. In order to minimize bypass event duration and emissions, the Permittee shall:
  - i. Install an uninterruptible power supply (UPS) for the control system to eliminate any "reboot" time associated with the programmable logic controllers (PLCs). The UPS shall be equipped with a readiness indicator.
  - ii. Install a power outage indicator as an input to the PLCs.
  - iii. Revise the PLC logic to require automatic re-closure of the bypass stack within 5 minutes after a power failure.
  - iv. Install a low fuel indicator on the emergency generator diesel tank.
  - v. Install a water supply pressure indicator to alert operators to a loss of water supply.
  - vi. Operate devices to assure continuous removal of the ash from the primary chamber.
  - vii. Reduce combustion air to the primary chamber by alternately shutting the fan off and on in 1 minute cycles to achieve a net reduction in airflow of 50% during the bypass event.
- d. The Permittee shall not incinerate dental waste, as defined in the waste management plan required by Section 2.1.A.2.bb.

**Testing** [15A NCAC 02D .1106]

- e. In order to demonstrate compliance with 15A NCAC 02D .1100, the Permittee shall comply with the testing requirements in Section 2.1.A.2.j. for cadmium and mercury.
- f. The testing shall be performed in accordance with General Condition JJ.

**Monitoring** [15A NCAC 02D .0605]

- g. The Permittee shall conduct the monitoring, maintenance, and inspections for each incinerator and each control device, as required by Sections 2.1.A.2.u. through aa.

**Recordkeeping** [15A NCAC 02D .0605]

- h. The Permittee shall maintain records or any other process operational information as is necessary to determine compliance with 15A NCAC 2D .1100. All records of compliance shall be maintained in a logbook (in written or electronic format) and made available for inspection by personnel of the Division of Air Quality.
- i. The Permittee shall keep records of inspections and maintenance on the control devices as required by Section 2.1.A.2.ff.
- j. For each stack test conducted as required by this Section, the Permittee shall track and record details for the waste being burned and the material that may be carried over into the stack test period. Tracking shall include, at a minimum:
  - i. a cross-reference of the identity of the waste generator with the company's customer list (the identity information shall include the nature of the business activity);

- ii. the type of business waste;
- iii. the total weight of each container; and
- vi. the time the material entered the incinerator.

This information will be summarized and submitted as part of the stack test report. Additional tracking information may be required by the Regional Air Quality Supervisor.

**Reporting** [15A NCAC 02D .0605]

- k. The reporting requirements of 15A NCAC 2D .1206 (see Sections 2.1.A.2.hh. and ii.) shall be considered sufficient for reporting compliance with 15A NCAC 2D .1100.

**State-Enforceable Only**

**2. 15A NCAC 02D .1206: HOSPITAL, MEDICAL, AND INFECTIOUS WASTE INCINERATORS**

**Emission Limits** [15A NCAC 02D .1206(c)(1),(3),(6),(7), and (8) and (d)(4)]

- a. i. For the two hospital, medical, and infectious waste incinerators [HMIWI] (**ID Nos. ES01 and ES02**, i.e. Units 1 and 2), the Permittee shall comply with the emission limits listed in Table 1B to 40 CFR Part 60, Subpart Ce: [15A NCAC 02D .1206(c)(3)]

*Excerpt from Table 1B to 40 CFR Part 60, Subpart Ce*

Pollutant	Limits*,**
Particulate matter (PM)	25 milligrams per dry standard cubic meter (mg/dscm) [0.011 (grains per dry standard cubic foot (gr/dscf))]
Carbon monoxide (CO)	11 parts per million by volume (ppmv)
Dioxins/furans	9.3 nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) [4.1 grains per billion dry standard cubic feet (gr/10 <sup>9</sup> dscf)] -or- 0.054 ng/dscm TEQ [0.024 gr/10 <sup>9</sup> dscf]
Hydrogen chloride (HCl)	6.6 ppmv
Sulfur dioxide (SO <sub>2</sub> )	9.0 ppmv
Nitrogen oxides (NO <sub>x</sub> )	140 ppmv
Lead (Pb)	0.036 mg/dscm [0.016 grains per thousand dry standard cubic feet (gr/10 <sup>3</sup> dscf)]
Cadmium (Cd)	0.0092 mg/dscm [0.0040 gr/10 <sup>3</sup> dscf]
Mercury (Hg)	0.018 mg/dscm [0.0079 gr/10 <sup>3</sup> dscf]

\* Limits based on 7% oxygen (dry basis)

\*\* Limits based on a three-run average with a minimum sample time of one hour per run, except for dioxins/furans which is based on a three-run average with a minimum sample time of four hours per run

- ii. The Permittee shall not allow the HMIWI to discharge gases that exhibit greater than 6% opacity, based on a six-minute block average. [15A NCAC 02D .1206(c)(6)]
- iii. The Permittee shall comply with the calculated emission limits listed in Section 2.1.A.1.a. of this

permit for the following pollutants: [15A NCAC 02D .1206(c)(8)]

1. arsenic and its compounds
  2. beryllium and its compounds
  3. cadmium and its compounds
  3. chromium(VI) and its compounds
- b. The emission limits apply at all times. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(a)]

**Testing** [15A NCAC 02D .1206(d) and (e)]

- c. The test methods and procedures described in 15A NCAC 02D .2600 and in 40 CFR Part 60 Appendix A and 40 CFR Part 61 Appendix B shall be used to determine compliance with emission rates, according to the provisions of General Condition JJ. Method 29 of 40 CFR Part 60 shall be used to determine emission rates for metals. However, Method 29 shall be used to sample for chromium (VI), and SW 846 Method 0061 shall be used for the analysis. [15A NCAC 02D .1206(e)]

**Operating Parameter Testing**

- d. The Permittee shall, during the initial performance test, establish maximum and minimum values for the following operating parameters for each control device, as applicable: [15A NCAC 02D .1206(d)(4) and (9), 40 CFR 60.56c(d) and (h)]
- i. Maximum charge rate;
  - ii. Maximum flue gas / carbon bed inlet temperature<sup>2</sup> [40 CFR 60.56c(j)];
  - iii. Minimum secondary chamber temperature;
  - iv. Minimum pressure drop across the venturi scrubbers, or minimum amperage to wet scrubber<sup>3</sup>;
  - v. Minimum venturi scrubber liquor flow rate;
  - vi. Minimum packed bed scrubber liquor pH; and
  - vii. Minimum SNCR reagent flowrate [40 CFR 60.56c(h)].
- e. The Permittee may conduct repeat performance tests at any time in order to establish new operating parameters. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(k)]
- f. Upon receipt of an approved test that demonstrates different operating parameters, the Permittee shall attach the approval memo containing the revised operating parameters to this permit and maintain the parameters in the associated ranges contained therein.
- g. The Permittee may conduct a repeat performance test within 30 days of violation of applicable operating parameter(s) to demonstrate that the affected facility is not in violation of the applicable emissions limit(s). Repeat performance tests conducted pursuant to this paragraph shall be conducted using the identical operating parameters that indicated a violation. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(i)]

**Emission Testing**

- h. The Permittee shall conduct an annual (no more than 12 months following the previous test) performance test for the opacity limit. The test shall meet the requirements of 40 CFR 60.56c(b). [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(c)(1)]
- i. The Permittee shall determine compliance with the PM and HCl emissions limits by a performance test based on the following schedule: [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(c)(2)]
- i. Initially, or if the previous performance test did not indicate compliance, the Permittee shall conduct a performance test annually (no more than 12 months following the previous performance test);
  - ii. If all three performance tests over a three-year period indicate compliance with the emissions limit for a pollutant (PM or HCl), the Permittee may forego a performance test for that pollutant for the subsequent two years. At a minimum, a performance test for PM and HCl shall be conducted every third year (no more than 36 months following the previous performance test);
  - iii. If a performance test conducted every third year indicates compliance with the emissions limit for

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2 Flue gas temperature is measured at the inlet of the carbon bed.

3 The Permittee has historically used pressure drop as the indicator.

- a pollutant (PM or HCl), the Permittee may forego a performance test for that pollutant for an additional two years;
- iv. If any performance test indicates noncompliance with the respective emissions limit, the Permittee shall resume conducting annual performance tests for that pollutant until the criteria of Paragraph 2.1.A.2.i.ii., above, are met.
  - j. The Permittee shall determine compliance with the mercury, cadmium, and lead emission limits by a performance test performed every three years (no more than 36 months following the previous performance test). [15A NCAC 02D .1206(e)(2)]
    - i. For each stack test conducted as required by this Paragraph, the Permittee shall track and record details for the waste being burned and the material that may be carried over into the stack test period. Tracking shall include, at a minimum:
      1. a cross-reference of the identity of the waste generator with the company's customer list (the identity information shall include the nature of the business activity);
      2. the type of business waste;
      3. the total weight of each container; and
      4. the time the material entered the incinerator.
    - ii. This information will be summarized and submitted as part of the stack test report. Additional tracking information may be required by the Regional Air Quality Supervisor.
  - k. The use of the bypass stack during a performance test shall invalidate the performance test. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(b) and (c)(2)]

**Operational Standards** [15A NCAC 02D .1206(b), (d)(4)]

1. The Permittee shall only incinerate waste that meets one of the following requirements: [15A NCAC 02D .1206(c)(7), (8)]
  - i. hospital waste or medical/infectious waste, as defined by 40 CFR Part 60, Subpart Ec and 15A NCAC 02D .1202;
  - ii. international garbage (USDA/APHIS) defined as waste material derived in whole or in part from fruits, vegetables, meats, or other plant or animal material, and other refuse of any character whatsoever that has been associated with any such material aboard any means of conveyance and includes food scraps, table refuse, galley refuse, food wrappers, or packaging materials, and other waste material from stores, food preparation areas, passengers' or crews' quarters, dining rooms, or any other areas on vessels, aircraft, or other means of conveyance;
  - iii. confidential documents generated in the health care industry;
  - iv. controlled substances captured by law enforcement agencies;
  - v. non-hazardous trace chemotherapeutic waste materials; or
  - vi. non-hazardous pharmaceuticals;

Items v. and vi. above refer to those substances that are not regulated under 15A NCAC 13A .0106.
- m. Dental waste, as defined in the DAQ approved waste management plan (See paragraph 2.1.A.2.bb.), is not to be incinerated. [15A NCAC 02D .1206(c)(7), (8)]
- n. Following the date on which the maximum and minimum operating parameters are established, the Permittee shall ensure that all parameters remain within the acceptable range as measured on a 3-hour rolling average. Operation outside of acceptable ranges shall constitute a violation of established operating parameter(s), except as provided below: [15A NCAC 02D .1206(d)(4)]:
  - i. Operating parameter limits do not apply during performance tests. [40 CFR 60.56c(d)(2) and (h)(2)].
  - ii. Operating parameter limits do not apply during periods of startup and shutdown when no waste is being charged. [40 CFR 60.56c(j)]

The table below contains the most recently established operating parameters, as of the issuance of Permit T24. If DAQ has issued an approval memo for revised operating parameters, those parameters are to be used instead of the table below.

Parameter*,**	Unit 1	Unit 2
Maximum charge rate	1,870.0 pounds per hour	1,870.0 pounds per hour
Maximum flue gas / carbon bed inlet temperature	168.1 °F	164.1 °F
Minimum secondary chamber temperature	1,762.8 °F	1,759.5 °F
Minimum pressure drop across the venturi scrubber	39.0 inches of water	38.9 inches of water
Minimum packed bed scrubber liquor flow rate	65.2 gallons per minute	66.7 gallons per minute
Minimum packed bed scrubber liquor pH	4.10	4.1
Minimum SNCR reagent flowrate	urea: 1.1 gallons per hour -or- ammonia: 1.0 gallons per hour	urea: 1.2 gallons per hour -or- ammonia: 1.0 gallons per hour

\* Parameters as defined in 40 CFR 60.51c.

\*\* Each parameter is measured on a 3-hour rolling average.

- o. Except as provided in paragraphs 2.1.A.2.g. and 2.1.A.2.n.ii., the following scenarios shall constitute a violation of an emission limit (each parameter is measured on a 3-hour rolling average): [15A NCAC 02D .1206(d)(4) and (9), 40 CFR 60.56c(f), (h), and (j)]

Operating Scenario	Emissions Limit Violation
<ul style="list-style-type: none"> <li>Above maximum charge rate AND</li> <li>below minimum pressure drop across venturi scrubber</li> </ul>	PM
<ul style="list-style-type: none"> <li>Above maximum charge rate AND</li> <li>below minimum secondary chamber temperature</li> </ul>	CO
<ul style="list-style-type: none"> <li>Above maximum charge rate AND</li> <li>below minimum secondary chamber temperature AND</li> <li>below minimum venturi scrubber liquor flow rate</li> </ul>	Dioxin/furans
<ul style="list-style-type: none"> <li>above maximum charge rate AND</li> <li>below minimum packed bed scrubber liquor pH</li> </ul>	HCl
<ul style="list-style-type: none"> <li>above the maximum carbon bed inlet temperature AND</li> <li>above maximum charge rate</li> </ul>	Hg
<ul style="list-style-type: none"> <li>Uses bypass stack</li> </ul>	PM, dioxin/furan, HCl, Pb, Cd and Hg
<ul style="list-style-type: none"> <li>Above maximum charge rate AND</li> <li>below minimum secondary temperature AND</li> <li>below minimum reagent flow rate</li> </ul>	NOx

**Parameter Monitoring** [15A NCAC 02D .1206(f)(2),(6), and (8), 15A NCAC 02D .0613]

- p. The Permittee shall install, calibrate (to the manufacturer's specifications), maintain, and operate the following monitoring devices: [15A NCAC 02D .1206(f)(2) and (6), 40 CFR 60.57c]
- i. Devices for monitoring the maximum and minimum parameters, listed in Section 2.1.A.2.n. such that these devices measure and record values for those parameters at the frequencies listed in Table 3 to 40 CFR Part 60 Subpart Ec:

*Excerpt from Table 3 to 40 CFR Part 60, Subpart Ec*

Operating parameters to be monitored	Minimum frequency	
	Data measurement	Data recording
Maximum operating parameters:		
Maximum charge rate	Continuous	1 × hour
Maximum flue gas temperature	Continuous	1 × minute

Operating parameters to be monitored	Minimum frequency	
	Data measurement	Data recording
Minimum operating parameters:		
Minimum secondary chamber temperature	Continuous	1 × minute
Minimum pressure drop across the [venturi] scrubber	Continuous	1 × minute
Minimum [packed bed] scrubber liquor flow rate	Continuous	1 × minute
Minimum [packed bed] scrubber liquor pH	Continuous	1 × minute

- ii. A device or method for measuring the use of the bypass stacks, including date, time, and duration.
- iii. A continuous temperature monitoring and recording system for temperature in the primary chamber of each affected HMIWI.
- iv. A device to continuously measure the reagent flowrate to the SNCR and record the data at least once per minute.
- v. A continuous monitor for both oxygen and CO in order to determine proper operation of each HMIWI
- q. The Permittee shall obtain monitoring data at all times during HMIWI operation except during periods of monitoring equipment malfunction, calibration, or repair. At a minimum, valid monitoring data shall be obtained for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter that the affected facility is combusting hospital waste and/or medical/infectious waste. [15A NCAC 02D .1206(f)(6), 40 CFR 60.57c(e)]
- r. All monitoring devices and associated equipment used to show compliance with emission limits shall be subject to a Quality Assurance (QA) program which must include procedures and frequency of the following: [15A NCAC 02D .0613]
  - i. calibrations;
  - ii. standards traceability;
  - iii. operational checks;
  - iv. maintenance;
  - v. auditing;
  - vi. data validation; and
  - vii. a schedule for implementing the QA program.

The QA program must be submitted to and approved by the Regional Supervisor, NC DAQ, Winston-Salem Regional Office.

**Visible Emissions Monitoring** [15A NCAC 02D .0611]

- s. To assure compliance with the visible emissions limit, once a day the Permittee shall observe the emission points of each HMIWI for any visible emissions above normal. The daily observation must be made for each day of the calendar year period to ensure compliance with this requirement. The Permittee shall be allowed three (3) days of absent observations per semi-annual period. If visible emissions from this source are observed to be above normal, the Permittee shall either:
  - i. take appropriate action to correct the above-normal emissions as soon as practicable and within the monitoring period and record the action taken as provided in the recordkeeping requirements below, or
  - ii. demonstrate that the percent opacity from the emission points of the emission source in accordance with 15A NCAC 02D .2610 (Method 9) for 12 minutes is below the limit given in Section 2.1.A.2.a., above.

**CO Emission Monitoring** [15A NCAC 02D .1206(d)(4)(B) and (f)(2)]

- t. The Permittee shall install a carbon monoxide continuous emissions monitoring system (CO CEMS) on the exhaust stack of each incinerator. [15A NCAC 02D .1206(f)(2), 40 CFR 60.56c(c)(4)]
  - i. The CO CEMS shall be used to determine compliance with the CO emission limit using a 24-hour block average, calculated as specified in Section 12.4.1 of EPA Reference Method 19 of appendix A-

7 of 40 CFR Part 60.

- ii. The CO CEMS shall be operated in accordance with the applicable procedures under appendices B and F of 40 CFR Part 60.
- iii. When demonstrating compliance with the CO emission limit, the Permittee may substitute a CO CEMS for the annual CO performance test and minimum secondary chamber temperature.

**Equipment Inspections** [15A NCAC 02D .1206(d)(2) and (3), (f)(1) and (6), 15A NCAC 02D .0611]

- u. The Permittee shall perform an annual (for each 12-month period following the initial inspection) inspection of each HMIWI. The inspection shall, at a minimum, meet the requirements of 40 CFR 60.36e(a)(1)(i) through (xvii). [15A NCAC 02D .1206(d)(2)]
- v. The Permittee shall perform an annual (for each 12-month period following the initial inspection) inspection of each control device associated with each HMIWI. At a minimum, each control device must meet the following criteria (if applicable): [15A NCAC 02D .0611 and .1206(d)(3)]
  - i. ensure proper calibration of thermocouples, sorbent feed systems, and any other monitoring equipment; and
  - ii. generally observe that the equipment is maintained in good operating condition
- w. Any necessary repairs found during an inspection of a HMIWI or control device shall be completed within 10 operating days of the inspection unless the owner or operator submits a written request to the Director for an extension of the 10 operating day period. [15A NCAC 02D .1206(d)(2) and (3)]

**Carbon Bed Requirements** [15A NCAC 02D .1206(d)(4)]

- x. The carbon beds (**ID Nos. CD05 and CD06**), used for the control of mercury (Hg) emissions from the HMIWIs, shall be designed and operated with two beds in series, with the second bed serving as a guard bed. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(j)]
- y. In accordance with the DAQ-approved control plan<sup>4</sup>, while operating the carbon beds, the Permittee shall, at a minimum: [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(j)]
  - i. Replace each carbon bed or the carbon in each bed before it has reached the end of its useful life. For the replacement of carbon in the primary bed, the secondary bed will be rotated into the primary bed position and the new carbon will be used in the secondary bed position; and
  - ii. Use the type of activated carbon used during the most recent performance test demonstrating compliance with the Hg emission limit until a subsequent performance test is conducted.
- z. The Permittee may substitute at any time a different brand of activated carbon, provided that the replacement has equivalent or improved properties compared to the carbon used in the most recent performance test. [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(j)]
- aa. The Permittee shall monitor the performance of the carbon beds in each affected carbon bed system as provided below to ensure that the carbon in each bed has not reached the end of its useful life: [15A NCAC 02D .1206(d)(4), 40 CFR 60.56c(j)]
  - i. The monitoring shall be conducted consistent with the manufacturer's specifications and recommendations;
  - ii. The Permittee shall document the monitoring procedures used; and
  - iii. The Permittee shall keep records of any performance monitoring

**Waste Management** [15A NCAC 02D .1206(f)(5)]

- bb. The Permittee shall, by January 30<sup>th</sup> of each calendar year, develop and submit to DAQ a waste management plan that meets and follows the guidelines listed in 40 CFR 60.55c. The Permittee shall implement the approved waste management plan in its entirety. In addition, the waste management plan shall address the management of dental waste. [15A NCAC 02D .1206(f)(5)]

**Excess Emissions, Start-up, and Shut-down** [15A NCAC 02D .0535 and .1206(g)]

- cc. The Permittee shall comply with 15A NCAC 02D .0535 "Excess Emissions Reporting and Malfunctions". Emissions from bypass conditions shall not be exempted by 15A NCAC 02D .0535(c) or

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4 Initially approved with the T23 permit, issued June 30, 2015

(g).

**Alternate Operating Scenario** [15A NCAC 02D .1206(d)(4)]

- dd. The Permittee may operate a HMIWI using only combustion controls during periods of startup and shutdown when no waste is being combusted. During such periods, the Permittee shall monitor and record the following:
- i. Verify that no waste is being combusted,
  - ii. The secondary chamber temperature, and
  - iii. The amount and type of fuel being combusted.
- [40 CFR 60.56c(j)]

**Operator Training** [15A NCAC 02D .1206(h)]

- ee. The Permittee shall not allow a HMIWI to operate at any time unless a fully trained and qualified HMIWI operator is accessible, either at the facility or available within one hour. The trained and qualified HMIWI operator may operate the HMIWI directly or be the direct supervisor of one or more HMIWI operators. [15A NCAC 02D .1206(h)]
- i. Operator training and qualification shall be obtained by completing the requirements of 40 CFR 60.53c(c) through (g).
  - ii. The Permittee shall maintain, at the facility, all items required by 40 CFR 60.53c(h)(1) through (h)(10).
    - A. The Permittee shall establish a program for reviewing this information annually with each HMIWI operator.
    - B. This information shall be kept in location readily accessible for all HMIWI operators.

**Recordkeeping** [15A NCAC 02D .1206(f)(3), (11), and (12), 15A NCAC 02D .0611]

- ff. The Permittee shall keep the following records for a period of at least five (5) years: [15A NCAC 02D .1206(f)(3), 40 CFR 60.58c(b)]
- i. Calendar date of each record;
  - ii. Concentrations of any pollutant determined via continuous emission monitoring system;
  - iii. HMIWI charge dates, times, weights, and hourly charge weights;
  - iv. Amount and type of NO<sub>x</sub> reagent used during each hour of operation, as applicable;
  - v. Secondary chamber temperatures recorded during each minute of operation;
  - vi. Liquor flow rate to the wet scrubber inlet during each minute of operation, as applicable;
  - vii. Amperage to the wet scrubber during each minute of operation, as applicable;
  - viii. Pressure drop across the wet scrubber system during each minute of operation, as applicable;
  - ix. Temperature at the outlet from the wet scrubber during each minute of operation, as applicable;
  - x. pH at the inlet to the wet scrubber during each minute of operation, as applicable;
  - xi. Records indicating use of the bypass stack, including dates, times, and durations;
  - xii. Records of the annual air pollution control device inspections and annual HMIWI inspections, any required maintenance, and any repairs not completed within 10 days of an inspection or the timeframe established by the Administrator;
  - xiii. Identification of calendar days for which data on emission rates or operating parameters have not been obtained, with an identification of the emission rates or operating parameters not measured, reasons for not obtaining the data, and a description of corrective actions taken;
  - xiv. Identification of calendar days, times and durations of malfunctions, a description of the malfunction and the corrective action taken;
  - xv. Identification of calendar days for which data on emission rates or operating parameters exceeded the applicable limits, with a description of the exceedances, reasons for such exceedances, and a description of corrective actions taken;
  - xvi. The results of the initial, annual, and any subsequent performance tests and a description of how the operating parameters were established or re-established;
  - xvii. Records of HMIWI operators that have met training qualifications; and
  - xviii. Records of monitoring device calibration;



- xix. Records of monitoring activities for visible emissions. This should include the date and time of each recorded action and the results of each observation/test, noting those sources observed to be in noncompliance. [15A NCAC 02D .0611]
- xx. Records required by Section 2.1.A.2.dd., above.
- gg. The Permittee shall keep records in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. [15A NCAC 02D .0611 and .1206(f)(3), 40 CFR 60.56c(f)]

**Reporting** [15A NCAC 02D .1206(f)(3), 15A NCAC 02D .0611]

- hh. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding 24-month period between July and December and July 30 of each calendar year for the preceding 24-month period between January and June. All instances of deviations from the requirements of this permit must be clearly identified. [15A NCAC 02D .0611 and .1206(f)(3), 40 CFR 60.58c]
- ii. The report shall also include: [15A NCAC 02D .1206(f)(3), 40 CFR 60.58c]
  - i. The values for the site-specific operating parameters;
  - ii. The highest maximum operating parameter and the lowest minimum operating parameter, as applicable, for each operating parameter recorded for the calendar year being reported and for the previous calendar year;
  - iii. If a performance test was conducted during the reporting period, the results of the test shall be included;
  - iv. Dates where monitoring data was not collected, indicated exceedances, or indicated a malfunction. (See Paragraph 2.1.A.2.ff.xv, xvi., and xvii., above)
  - v. If no exceedances or malfunctions occurred during the calendar year being reported, a statement to that effect shall be included in the report;

**Federal-enforceable only**

**3. 40 CFR Part 62, Subpart HHH "Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed On Or Before December 1, 2008"**

The Permittee shall comply with all applicable requirements of 40 CFR Part 62, Subpart HHH.

**B. One diesel fuel-fired emergency generator (ID No. EG1)**

The following table provides a summary of limits and standards for the emission source(s) described above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
visible emissions	20 percent opacity	15A NCAC 02D .0521
nitrogen oxides, carbon monoxide, particulate matter	NSPS for stationary internal combustion engines. See Section 2.1.B.3.	15A NCAC 02D .0524 (40 CFR Part 60, Subpart IIII)
HAP	Comply with NSPS Subpart IIII See Section 2.1.B.4.	15A NCAC 02D .1111 (40 CFR Part 63, Subpart ZZZZ)
odorous emissions	<b>State-enforceable only</b> – See Section 2.2.A.1.	15A NCAC 02D .1806

**1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES**

- a. Emissions of sulfur dioxide from this source (**ID No. EG1**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B. 1. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring, recordkeeping, or reporting is required for sulfur dioxide emissions from the firing of diesel fuel in this emergency generator.

**2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS**

- a. Visible emissions from this source (**ID No. EG1**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

**Testing** [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B. 2. a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

**Monitoring/Recordkeeping/Reporting** [15A NCAC 02Q .0508(f)]

- c. No monitoring, recordkeeping, or reporting is required for visible emissions from the firing of diesel fuel in this emergency generator.

### 3. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS

(40 CFR Part 60, Subpart IIII)

**Applicability** [15A NCAC 2Q .0508(f), 40 CFR 60.4200(a)(2)(i)]

- a. For this engine, the Permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, record keeping, and monitoring, contained in Environmental Management Commission Standard 15A NCAC 2D .0524 "New Source Performance Standards (NSPS)" as promulgated in 40 CFR Part 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines," including Subpart A "General Provisions."

**General Provisions** [15A NCAC 2Q .0508(f)]

- b. Pursuant to 40 CFR 60 .4218, The Permittee shall comply with the General Provisions of 40 CFR 60 Subpart A as presented in Table 8 of 40 CFR 60 Subpart IIII.

**Emission Standards** [15A NCAC 2Q .0508(f)]

- c. The Permittee shall comply with the emission standards 40 CFR 60.4202 for all pollutants, for the same model year and maximum engine power for this engine. [40CFR 60.4205(b)]

**Fuel Requirements** [15A NCAC 2Q .0508(f)]

- d. The Permittee shall use diesel fuel in the engine that meets the requirements of 40 CFR 80.510(b) including:
  - i. a maximum sulfur content of 15 ppm; and
  - ii. a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.[40 CFR 60.4207(b)]

**Testing** [15A NCAC 2Q .0508(f)]

- e. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limits given in conditions c. and d. above, the Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524.

**Monitoring** [15A NCAC 2Q .0508(f)]

- f. The engine has the following monitoring requirements:
  - i. The engines shall be equipped with a non-resettable hour meter prior to startup. [40CFR 60.4209(a)]
  - ii. The engine, if equipped with a diesel particulate filter, must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached. [40CFR 60.4209(b)]

**Compliance Requirements** [15A NCAC 2Q .0508(b)]

- g. The Permittee shall:
  - i. operate and maintain the engines and control devices according to the manufacturer's emission related-written instructions over the entire life of the engine;
  - ii. change only those emission-related settings that are permitted by the manufacturer; and
  - iii. meet the requirements of 40 CFR 89, 94 and/or 1068 as applicable. [40CFR 60.4206 and 60.4211(a)]
- h. The Permittee shall comply with the emission standards in condition c. by purchasing an engine certified to the emission standards in condition c for the same model year and maximum engine power. The engine shall be installed and configured according to the manufacturer's emission-related specifications. [40CFR 60.4211(c)]
- i. In order for the engine to be considered an emergency stationary ICE under this condition, any operation other than emergency operation, maintenance and testing, and operation in non- emergency situations for 50 hours per year, as described below, is prohibited.

- i. There is no time limit on the use of emergency stationary ICE in emergency situations.
- ii. The Permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraph (i)(2)(i) of this condition for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (i)(3) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (i)(2).
  - A. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

[40 CFR 60.4211(f)]

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if the requirements in conditions f. through i. are not met.

**Recordkeeping** [15A NCAC 2Q .0508(f)]

- j. To assure compliance, the Permittee shall perform inspections and maintenance on the engine as recommended by the manufacturer per 40 CFR 60.4206 and 40 CFR 60.4211(a). The results of inspection and maintenance shall be maintained in a logbook (written or electronic format) on-site and made available to an authorized representative upon request. The logbook shall record the following:
  - i. the date and time of each recorded action;
  - ii. the results of each inspection;
  - iii. the results of any maintenance performed on the engine;
  - iv. any variance from manufacturer's recommendations, if any, and corrections made;
  - v. the hours of operation of the engine in emergency and non-emergency service. [40 CFR 60.4214(b)]
  - vi. if a PM filter is used, records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached [40 CFR 60.4214(c)]; and
  - vii. documentation from the manufacturer that the engine is certified to meet the emission standards in condition c.

The Permittee shall be deemed in noncompliance with 15A NCAC 2D .0524 if these records are not maintained.

**Reporting** [15A NCAC 2Q .0508(f)]

- k. The Permittee shall submit a summary report of monitoring and recordkeeping activities postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit shall be clearly identified.

**4. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY**  
(40 CFR Part 63, Subpart ZZZZ)

**Applicability** [40 CFR § 63.6585, 6590(a)(2)(iii)]

- a. For the diesel fuel-fired emergency generator (**ID No. EG1**), the Permittee shall comply with all applicable provisions, including the monitoring, recordkeeping, and reporting contained in Environmental Management Commission Standard 15A NCAC 02D .1111 "Maximum Achievable Control Technology" (MACT) as promulgated in 40 CFR 63, Subpart ZZZZ, "National Emission Standards For Hazardous Air

Pollutants For Stationary Reciprocating Internal Combustion Engines" and Subpart A "General Provisions".

**Stationary RICE subject to Regulations under 40 CFR Part 60** [15 A NCAC 02Q. 0508(f)]

- b. Pursuant to 40 CFR 63.6590(c)(1), this engine (ID No. EG1) must meet the requirements of 40 CFR 63 Subpart ZZZZ and Subpart A by meeting the requirements of 40 CFR Part 60, Subpart IIII. No further requirements apply for this engine under 40 CFR 63 Subpart ZZZZ and Subpart A.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111 if the requirements in Paragraph b., above, are not met.

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## 2.2- Multiple Emission Source(s) Specific Limitations and Conditions

### A. Facility-wide emission sources

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
odors	<b>State-enforceable only;</b> odorous emissions must be controlled	15A NCAC 02D .1806

#### **STATE ENFORCEABLE ONLY**

#### **1. 15A NCAC 02D .1806: CONTROL AND PROHIBITION OF ODOROUS EMISSIONS**

- a. The Permittee shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.
- b. If the Director determines that a source or facility is emitting an objectionable odor, by the procedures described below, the Permittee shall:
  - i. within 180 days of receipt of written notification from the Director of the requirement to implement maximum feasible controls, complete the determination process outlined in 15A NCAC 02D .1807 and submit to the Director a completed maximum feasible control determination process, a permit application for maximum feasible controls and a compliance schedule;
  - ii. within 18 months of receipt of written notification from the Director of the requirement to implement maximum feasible controls, have installed and begun operating maximum feasible controls.
- c. The Director may require the Permittee to implement maximum feasible controls per 15A NCAC 02D .1806(g) if:
  - i. a member of the Division staff determines by field investigation that an objectionable odor is present by taking into account nature, intensity, pervasiveness, duration, and source of the odor and other pertinent factors;
  - ii. the source or facility emits known odor causing compounds such as ammonia, total volatile organics, hydrogen sulfide, or other sulfur compounds at levels that cause objectionable odors beyond the property line of that source or facility; or
  - iii. the Division receives epidemiological studies associating health problems with odors from the source or facility or evidence of documented health problems associated with odors from the source or facility provided by the State Health Director.

## **2.3- Permit Shield for Nonapplicable Requirements**

The Permittee is shielded from the following nonapplicable requirements as of the date of issuance of this permit based on information furnished with all previous applications. This shield does not apply to future modifications or changes in the method of operation:

- A. 40 CFR Part 60, Subpart Ce does not apply to this facility because this rule is specifically excluded from applicability in 15A NCAC 02D .0524.
- B. 40 CFR Part 60, Subpart Ec does not apply to this facility because the HMIWIs were constructed and/or modified before the applicability date in 40 CFR 60.56c(a).

It should be noted that sections of 40 CFR Part 60, Subparts Ce and Ec are incorporated by reference under 15A NCAC 02D .1206 "Hospital, Medical, and Infectious Waste Incinerators". This permit shield does not exempt the Permittee from complying with all aspects of 15A NCAC 02D .1206.

[15A NCAC 2Q .0512(a)(1)(B)]

## SECTION 3- GENERAL CONDITIONS (version 4.0 12/17/15)

This section describes terms and conditions applicable to this Title V facility.

A. **General Provisions** [NCGS 143-215 and 15A NCAC 02Q .0508(i)(16)]

1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 02D and 02Q.
2. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by the DAQ.
3. This permit is not a waiver of or approval of any other Department permits that may be required for other aspects of the facility which are not addressed in this permit.
4. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.
6. Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the DAQ, unless the source is exempted by rule. The DAQ may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.

B. **Permit Availability** [15A NCAC 02Q .0507(k) and .0508(i)(9)(B)]

The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of Department of Environmental Quality upon request.

C. **Severability Clause** [15A NCAC 02Q .0508(i)(2)]

In the event of an administrative challenge to a final and binding permit in which a condition is held to be invalid, the provisions in this permit are severable so that all requirements contained in the permit, except those held to be invalid, shall remain valid and must be complied with.

D. **Submissions** [15A NCAC 02Q .0507(e) and 02Q .0508(i)(16)]

Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NO<sub>x</sub> budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:

Supervisor, Stationary Source Compliance  
North Carolina Division of Air Quality  
1641 Mail Service Center  
Raleigh, NC 27699-1641



All submittals shall include the facility name and Facility ID number (refer to the cover page of this permit).

**E. Duty to Comply [15A NCAC 02Q .0508(i)(3)]**

The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

**F. Circumvention - STATE ENFORCEABLE ONLY**

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

**G. Permit Modifications**

1. **Administrative Permit Amendments [15A NCAC 02Q .0514]**  
The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 02Q .0514.
2. **Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 02Q .0524 and 02Q .0505]**  
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 02Q.0524 and 02Q .0505.
3. **Minor Permit Modifications [15A NCAC 02Q .0515]**  
The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 02Q .0515.
4. **Significant Permit Modifications [15A NCAC 02Q .0516]**  
The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 02Q .0516.
5. **Reopening for Cause [15A NCAC 02Q .0517]**  
The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 02Q .0517.

**H. Changes Not Requiring Permit Modifications**

1. **Reporting Requirements**  
Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the Regional Supervisor, DAQ:
  - a. changes in the information submitted in the application;
  - b. changes that modify equipment or processes; or
  - c. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

2. **Section 502(b)(10) Changes [15A NCAC 02Q .0523(a)]**
  - a. "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
  - b. The Permittee may make Section 502(b)(10) changes without having the permit revised if:
    - i. the changes are not a modification under Title I of the Federal Clean Air Act;
    - ii. the changes do not cause the allowable emissions under the permit to be exceeded;

- iii. the Permittee notifies the Director and EPA with written notification at least seven days before the change is made; and
- iv. the Permittee shall attach the notice to the relevant permit.
- c. The written notification shall include:
  - i. a description of the change;
  - ii. the date on which the change will occur;
  - iii. any change in emissions; and
  - iv. any permit term or condition that is no longer applicable as a result of the change.
- d. Section 502(b)(10) changes shall be made in the permit the next time that the permit is revised or renewed, whichever comes first.
3. Off Permit Changes [15A NCAC 02Q .0523(b)]

The Permittee may make changes in the operation or emissions without revising the permit if:

  - a. the change affects only insignificant activities and the activities remain insignificant after the change; or
  - b. the change is not covered under any applicable requirement.
4. Emissions Trading [15A NCAC 02Q .0523(c)]

To the extent that emissions trading is allowed under 15A NCAC 02D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 02Q .0523(c).

**I. A Reporting Requirements for Excess Emissions and Permit Deviations**

[15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]

“Excess Emissions” - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Subchapter 02D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 02Q .0700. (*Note: Definitions of excess emissions under 02D .1110 and 02D .1111 shall apply where defined by rule.*)

“Deviations” - for the purposes of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions as well as excess emissions as defined above lasting less than four hours.

**Excess Emissions**

1. If a source is required to report excess emissions under NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
2. If the source is not subject to NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 02D .0535 as follows:
  - a. Pursuant to 15A NCAC 02D .0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:
    - i. notify the Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Time of the Division's next business day of becoming aware of the occurrence and provide:
      - name and location of the facility;
      - nature and cause of the malfunction or breakdown;
      - time when the malfunction or breakdown is first observed;
      - expected duration; and
      - estimated rate of emissions;
    - ii. notify the Regional Supervisor or Director immediately when corrective measures have been accomplished; and
    - iii. submit to the Regional Supervisor or Director within 15 days a written report as described in 15A NCAC 02D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 02Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
  - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 02D .0535 quarterly. A written report to the Regional Supervisor shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

**I. B Other Requirements under 15A NCAC 02D .0535**

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director, that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

**J. Emergency Provisions [40 CFR 70.6(g)]**

The Permittee shall be subject to the following provisions with respect to emergencies:

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3. below are met.
3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
  - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
  - b. the permitted facility was at the time being properly operated;
  - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
  - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

**K. Permit Renewal [15A NCAC 02Q .0508(e) and 02Q .0513(b)]**

This 15A NCAC 02Q .0500 permit is issued for a fixed term not to exceed five years and shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete 15A NCAC 02Q .0500 renewal application is submitted at least nine months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 02Q .0512(b)(1), this 15A NCAC 02Q .0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under 15A NCAC 02Q .0400 terminates the facility's right to operate unless a complete 15A NCAC 02Q .0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 02Q .0400 requirements. In either of these events, all terms and conditions of these permits shall remain in effect until the renewal permits have been issued or denied.

**L. Need to Halt or Reduce Activity Not a Defense** [15A NCAC 02Q .0508(i)(4)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**M. Duty to Provide Information (submittal of information)** [15A NCAC 02Q .0508(i)(9)]

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

**N. Duty to Supplement** [15A NCAC 02Q .0507(f)]

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

**O. Retention of Records** [15A NCAC 02Q .0508(f) and 02Q .0508 (l)]

The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request.

**P. Compliance Certification** [15A NCAC 02Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the entire year regardless of who owned the facility during the year. The compliance certification shall comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

1. the identification of each term or condition of the permit that is the basis of the certification;
2. the compliance status (with the terms and conditions of the permit for the period covered by the certification);
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source during the certification period.

**Q. Certification by Responsible Official** [15A NCAC 02Q .0520]

A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**R. Permit Shield for Applicable Requirements** [15A NCAC 02Q .0512]

1. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.
2. A permit shield shall not alter or affect:

- a. the power of the Commission, Secretary of the Department, or Governor under NCGS 143-215.3(a)(12), or EPA under Section 303 of the Federal Clean Air Act;
  - b. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
  - c. the applicable requirements under Title IV; or
  - d. the ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.
3. A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under 15A NCAC 02Q .0523.
  4. A permit shield does not extend to minor permit modifications made under 15A NCAC 02Q .0515.

**S. Termination, Modification, and Revocation of the Permit [15A NCAC 02Q .0519]**

The Director may terminate, modify, or revoke and reissue this permit if:

1. the information contained in the application or presented in support thereof is determined to be incorrect;
2. the conditions under which the permit or permit renewal was granted have changed;
3. violations of conditions contained in the permit have occurred;
4. the EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or
5. the Director finds that termination, modification, or revocation and reissuance of the permit is necessary to carry out the purpose of NCGS Chapter 143, Article 21B.

**T. Insignificant Activities [15A NCAC 02Q .0503]**

Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The Permittee shall have available at the facility at all times and made available to an authorized representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

**U. Property Rights [15A NCAC 02Q .0508(i)(8)]**

This permit does not convey any property rights in either real or personal property or any exclusive privileges.

**V. Inspection and Entry [15A NCAC 02Q .0508(l) and NCGS 143-215.3(a)(2)]**

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, or an authorized representative, to perform the following:
  - a. enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;
  - b. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
  - c. inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
  - d. sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

Nothing in this condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee under Section 114 or other provisions of the Federal Clean Air Act.

2. No person shall refuse entry or access to any authorized representative of the DAQ who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

**W. Annual Fee Payment [15A NCAC 02Q .0508(i)(10)]**

1. The Permittee shall pay all fees in accordance with 15A NCAC 02Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environmental Quality. Annual permit fee payments shall refer to the permit number.

3. If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under 15A NCAC 02Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 02Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 02Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 02Q .0107 and 02Q .0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 02Q .0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with 15A NCAC 02Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 02Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 02Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 02Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 02Q .0505 and .0507.

BB. **Financial Responsibility and Compliance History** [15A NCAC 02Q .0507(d)(4)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. **Refrigerant Requirements (Stratospheric Ozone and Climate Protection)** [15A NCAC 02Q .0501(e)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR § 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. **Prevention of Accidental Releases - Section 112(r)** [15A NCAC 02Q .0508(h)]

If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

EE. **Prevention of Accidental Releases General Duty Clause - Section 112(r)(1) –**  
**FEDERALLY-ENFORCEABLE ONLY**

Although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary to prevent the accidental release of such substance and to minimize the consequences of any release.

FF. **Title IV Allowances** [15A NCAC 02Q .0508(i)(1)]

This permit does not limit the number of Title IV allowances held by the Permittee, but the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement. The Permittee's

emissions may not exceed any allowances that the facility lawfully holds under Title IV of the Federal Clean Air Act.

GG. **Air Pollution Emergency Episode** [15A NCAC 02D .0300]

Should the Director of the DAQ declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in 15A NCAC 02D .0300.

HH. **Registration of Air Pollution Sources** [15A NCAC 02D .0202]

The Director of the DAQ may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with 15A NCAC 02D .0202(b).

II. **Ambient Air Quality Standards** [15A NCAC 02D .0501(c)]

In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in 15A NCAC 02D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

JJ. **General Emissions Testing and Reporting Requirements** [15A NCAC 02Q .0508(i)(16)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .0912, .1110, .1111, or .1415 of Subchapter 02D. If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 02D .2600 and follow the procedures outlined below:

1. The owner or operator of the source shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved by the Director prior to air pollution testing. The Director shall review air emission testing protocols for pre-approval prior to testing if requested by the owner or operator at least **45 days** before conducting the test.
2. Any person proposing to conduct an emissions test to demonstrate compliance with an applicable standard shall notify the Director at least **15 days** before beginning the test so that the Director may at his option observe the test.
3. The owner or operator of the source shall arrange for controlling and measuring the production rates during the period of air testing. The owner or operator of the source shall ensure that the equipment or process being tested is operated at the production rate that best fulfills the purpose of the test. The individual conducting the emission test shall describe the procedures used to obtain accurate process data and include in the test report the average production rates determined during each testing period.
4. Two copies of the final air emission test report shall be submitted to the Director not later than **30 days** after sample collection unless otherwise specified in the specific conditions. The owner or operator may request an extension to submit the final test report. The Director shall approve an extension request if he finds that the extension request is a result of actions beyond the control of the owner or operator.
  - a. The Director shall make the final determination regarding any testing procedure deviation and the validity of the compliance test. The Director may:
    - i. Allow deviations from a method specified under a rule in this Section if the owner or operator of the source being tested demonstrates to the satisfaction of the Director that the specified method is inappropriate for the source being tested.
    - ii. Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
    - iii. Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.

- b. The Director may authorize the Division of Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in Section 02D .2600 has precedence over all other tests.

**KK. Reopening for Cause [15A NCAC 02Q .0517]**

1. A permit shall be reopened and revised under the following circumstances:
  - a. additional applicable requirements become applicable to a facility with remaining permit term of three or more years;
  - b. additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;
  - c. the Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
  - d. the Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
2. Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to 15A NCAC 02Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 02Q .0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.
4. The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.
5. Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

**LL. Reporting Requirements for Non-Operating Equipment [15A NCAC 02Q .0508(i)(16)]**

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. During operation the monitoring recordkeeping and reporting requirements as prescribed by the permit shall be implemented within the monitoring period.

**MM. Fugitive Dust Control Requirement [15A NCAC 02D .0540] - STATE ENFORCEABLE ONLY**

As required by 15A NCAC 02D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).



NN. **Specific Permit Modifications** [15A NCAC 02Q.0501 and .0523]

1. For modifications made pursuant to 15A NCAC 02Q .0501(c)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.
2. For modifications made pursuant to 15A NCAC 02Q .0501(d)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), in accordance with 15A NCAC 02Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA - Air Planning Branch, 61 Forsyth Street SW, Atlanta, GA 30303) in writing at least seven days before the change is made. The written notification shall include:
  - a. a description of the change at the facility;
  - b. the date on which the change will occur;
  - c. any change in emissions; and
  - d. any permit term or condition that is no longer applicable as a result of the change.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

OO. **Third Party Participation and EPA Review** [15A NCAC 02Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environmental Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to 15A NCAC 02Q .0518 begins at the end of the 45-day EPA review period.

### List of Acronyms

<b>AOS</b>	Alternate Operating Scenario
<b>BACT</b>	Best Available Control Technology
<b>Btu</b>	British thermal unit
<b>CAA</b>	Clean Air Act
<b>CEM</b>	Continuous Emission Monitor
<b>CFR</b>	Code of Federal Regulations
<b>DAQ</b>	Division of Air Quality
<b>DEQ</b>	Department of Environmental Quality
<b>EMC</b>	Environmental Management Commission
<b>EPA</b>	Environmental Protection Agency
<b>FR</b>	Federal Register
<b>GACT</b>	Generally Available Control Technology
<b>HAP</b>	Hazardous Air Pollutant
<b>MACT</b>	Maximum Achievable Control Technology
<b>NAA</b>	Non-Attainment Area
<b>NCAC</b>	North Carolina Administrative Code
<b>NCGS</b>	North Carolina General Statutes
<b>NESHAP</b>	National Emission Standards for Hazardous Air Pollutants
<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>NSPS</b>	New Source Performance Standard
<b>OAH</b>	Office of Administrative Hearings
<b>PM</b>	Particulate Matter
<b>PM<sub>10</sub></b>	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
<b>POS</b>	Primary Operating Scenario
<b>PSD</b>	Prevention of Significant Deterioration
<b>RACT</b>	Reasonably Available Control Technology
<b>SIC</b>	Standard Industrial Classification
<b>SIP</b>	State Implementation Plan
<b>SO<sub>2</sub></b>	Sulfur Dioxide
<b>tpy</b>	Tons Per Year
<b>VOC</b>	Volatile Organic Compound